

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SANFORD WAYNE DAVIS,)	
)	
Petitioner,)	Civil Action No. 15-587
)	
v.)	Judge Cathy Bissoon
)	Chief Magistrate Judge Maureen P. Kelly
THE PA DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

This case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On September 11, 2015, the Magistrate Judge issued a Report (Doc. 5) recommending that Grounds One and Three of the habeas Petition be dismissed, pre-service, for failing to state cognizable habeas claims, and that a certificate of appealability be denied. Service of the Report and Recommendation was made on Petitioner, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that: Counts One and Three of the habeas Petition are DISMISSED; a certificate of appealability is denied; and the Magistrate Judge's Report and Recommendation is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

October 7, 2015

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

Sanford Wayne Davis
KK-8237
SCI Mercer
801 Butler Pike
Mercer, PA 16137